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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 BOARD OF TRUSTEES OF THE SHEET METAL ) NO. C 07 3204 PJH (MEJ)  
WORKERS, et al. )  
11 Plaintiff, ) EX PARTE APPLICATION FOR  
12 vs. ) ORDER TO CONTINUANCE ON  
13 MTB, INC., et al. ) HEARING OF MOTION FOR  
14 Defendant. ) DEFAULT JUDGMENT  
15 )

16 Plaintiffs, BOARD OF TRUSTEES OF THE SHEET METAL WORKERS  
17 HEALTH CARE PLAN OF NORTHERN CALIFORNIA, SHEET METAL WORKERS PENSION  
18 TRUST OF NORTHERN CALIFORNIA, SHEET MEAL WORKERS LOCAL 104 VACATION,  
19 HOLIDAY SAVINGS PLAN; ANTHONY ASHER, TRUSTEE, hereby apply ex parte  
20 for an order to continue hearing of Motion for Default Judgment from  
21 March 13, 2008 to March 20, 2008.

22 This ex parte application is based upon the Declaration of  
23 Attorney Michael J. Carroll filed herewith.

24 Dated: February 6, 2008

Respectfully submitted,

ERSKINE & TULLEY

By: /s/ Michael J. Carroll

Michael J. Carroll

Attorneys for Plaintiffs